

Remarks

Claims 1-26 are currently pending in this application. The Examiner has required restriction between:

Group I, claims 1-4, 11, 12, 16 and 21, drawn to human papillomavirus E6 and E7, and a method of inducing immune response;

Group II, claims 5-10, 13, 19, 20, drawn to isolated nucleic acid, expression vector and method of preventing cervical cancer;

Group III, claims 14, and 15, drawn to a recombinant virus.;

Group IV, claims 17, and 18 drawn to methods of treating and preventing cervical cancer;

Group V, claim 22, drawn to isolated polypeptide;

Group VI, claims 23 and 25, drawn to isolated nucleic acid; and

Group VII, claims 24 and 26, drawn to isolated nucleic acid.

Applicants elect to prosecute Invention Group I (claims 1-4, 11, 12, 16, and 21) in this application traversing as follows.

The Examiner asserts that the inventions of Groups I-VII do not relate to a single inventive concept under PCT Rule 13.1 because (under companion PCT Rule 13.2) they lack the same or corresponding special technical features. According to the Examiner, Edwards (U.S. Patent No. 6,004,557) teaches the fusion protein of human papillomavirus E6 and E7 (Group I). The Examiner contends that Edwards demonstrates that the technical feature of Group I does not make a contribution over the prior art and, thus, the claims are not linked by a special technical feature.

Applicants respectfully traverse the Requirement because the Examiner is incorrect that Edwards teaches the E6/E7 fusion protein of claim 1. Specifically, nothing in Edwards teaches or

suggests the importance of or mutation of the residues set forth in claim 1. Thus, nothing in Edwards teaches or suggests that the claims do not share a special technical feature. The special technical feature shared by all of the claims of the invention is E6/E7 fusions that, while having maintained or increased immunogenicity, contain mutations that abrogate their transforming activity.

In light of the above arguments, Applicants respectfully request that the claims of Invention Groups I-VI be examined together in this application.

The application is believed to be in condition for allowance. A prompt and favorable action on the merits of the application is earnestly solicited.

Dated: May 12, 2006

Respectfully submitted,

By Shelly M. Furukawa
Shelly M. Furukawa

Registration No.: 56,190
DARBY & DARBY P.C.
P.O. Box 5257
New York, New York 10150-5257
(212) 527-7700
(212) 527-7701 (Fax)
Attorneys/Agents For Applicant